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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,606	12/22/2003	Gary Douglas Chapman	GB920020080US1	7562

23550 7590 01/26/2007  
HOFFMAN WARNICK & D'ALESSANDRO, LLC  
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ALBANY, NY 12207

EXAMINER
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PANTOLIANO JR, RICHARD

ART UNIT	PAPER NUMBER
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2194

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/26/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/743,606	<b>Applicant(s)</b> CHAPMAN, GARY DOUGLAS	
	<b>Examiner</b> Richard Pantoliano Jr	<b>Art Unit</b> 2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.


#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment*

1. This Office Action is filed in response to amendments filed on **01 December 2006** for Application# **10/743, 606**. Currently amended **Claims 1, 7, 13**, previously presented **Claims 2-6, 8-12**, and new **Claims 14 and 15** are currently pending and have been considered below.
2. Applicant's amendment to **Claim 13** rectifies the prior deficiencies of **Claim 13**. The objection to **Claim 13** is hereby withdrawn.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-15** are rejected under 35 U.S.C. 102(b) as being anticipated by Hennum et al (US Pat: 6,259,445).
5. As per **Claim 1**, Hennum et al discloses the invention substantially as claimed including a method for generating a tutorial application linked to one or more source code elements, the method comprising the steps of:

a) receiving user input indicating one or more source code elements to be selected and one or more data elements to be tagged to one or more selected source code elements (*Col 11, Lines 6-25 and Col 12, Lines 20-35*);

b) tagging one or more selected source code elements with one or more of the data elements (*Col 12, Lines 7 – 12*);

c) generating the tutorial application linked to one or more source code files from said tagged source code elements (*Col 11, Lines 6-11*);

d) displaying the generated tutorial application, the tagged source code elements and the data elements in a display interface (*Col 12, Lines 27-34*),

e) wherein the display interface simultaneously displays (Figs. 7-16) (Windows are displayed both adjacent to one another, as well as overlapping, allowing content to be shown simultaneously and thereby meeting this claim limitation):

i) a list of tutorial steps contained within the application (*Col. 9, lines 10-36*) (The steps of the example code associated with the user-selected example are displayed to the user);

ii) a source code window containing a source code element associated with a selected one of the tutorial steps of the list of tutorial steps (*Col. 9, lines 10-36*) (This window is updated to show the portion of source code being executed at the current step of the example being executed); and

iii) an explanation window containing the one or more data elements associated with the source code element displayed in the code window (*Col. 9, lines 10-36*).

6. As per **Claim 2**, Hennum et al discloses wherein the selected source code elements are tagged by a markup language (*Col 12, Lines 7-12*).
7. As per **Claim 3**, Hennum et al discloses wherein support for one or more programming languages is provided (*Col 5, Lines 60-67*).
8. As per **Claim 4**, Hennum et al discloses wherein support for one or more execution environments is provided (*Col 5, Lines 50-59*).
9. As per **Claim 5**, Hennum et al discloses wherein receiving user input further comprises creating one or more tutorial steps (*Col 4, Lines 46-59 and Col 11, Lines 6-11*) (*The "annotations" meet this claim limitation*).
10. As per **Claim 6**, Hennum et al discloses wherein the data elements comprise an explanation text for the selected source code elements (*Col 4, Lines 46-59 and Col 11, Lines 6-11*) (*The "annotations" meet this claim limitation*).
11. As per **Claim 7**, being the system implementing the method of **Claim 1**, it is rejected for the same reasons as **Claim 1** above.
12. As per **Claim 8**, being the system implementing the method of **Claim 2**, it is rejected for the same reasons as **Claim 2** above.

13. As per **Claim 9**, being the system implementing the method of **Claim 3**, it is rejected for the same reasons as **Claim 3** above.

14. As per **Claim 10**, being the system implementing the method of **Claim 4**, it is rejected for the same reasons as **Claim 4** above.

15. As per **Claim 11**, being the system implementing the method of **Claim 5**, it is rejected for the same reasons as **Claim 5** above.

16. As per **Claim 12**, being the system implementing the method of **Claim 6**, it is rejected for the same reasons as **Claim 6** above.

17. As per **Claim 13**, being the computer program product loaded into the internal memory of a computer with instructions for implementing the method of **Claim 1**, it is rejected for the same reasons as **Claim 1** above.

18. As per **Claim 14**, this claim is rejected for the same reasons as **Claim 1** above.

19. As per **Claim 15**, this claim is rejected for the same reasons as **Claim 7** above.

***Response to Arguments***

20. As per **Claims 1-13**, Applicant's arguments to the 35 U.S.C. 102(b) rejections made were based on limitations added to independent **Claims 1 and 7** in the amendment accompanying Applicant's arguments. Since Hennum et al, the prior art made of record in the previous Office Action and upon which the previous rejection were based, also met said new limitations as shown in the above rejection, **Claims 1-13** are once again rejected as being anticipated by Hennum et al.

21. Newly presented **Claims 14 and 15** are also rejected as being anticipated by Hennum et al, based on the reasoning provided above.

***Conclusion***

22. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

23. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Pantoliano Jr whose telephone number is (571) 270-1049. The examiner can normally be reached on Monday-Thursday, 8am - 4 pm EST.

25. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571)272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

26. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RP  
1/19/07

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER